

TYRONE WATER & WASTEWATER ASSOCIATION BOARD MEETING

August 20, 2025 – 6:30 P.M. – TYRONE COMMUNITY CENTER

DRAFT MINUTES

Website: tyronewater.org

1. Alan Berg, President, called the meeting to order at 635 PM with Doug Gorthy and Austin King in attendance at 50 Malachite Avenue, Elizabeth Gonzales on Zoom and Alan Berg on Zoom. Berg declared a quorum was present.
2. Berg stated that the legal requirements for public notice under New Mexico Open Meetings Act and the TWWA Open Meetings Act resolution have been met through announcements in the SC Daily Press, the Grant County Beat, posts on the Community Center bulletin board and the Post Office bulletin board and on the Tyronewater.org website
3. Approval/disapproval of Agenda-Deletions Doug Gorthy moved to approve the agenda, seconded by Austin King. No discussion on any deletions from the agenda, therefore, Berg called for the question with a unanimous voice vote to approve the agenda as presented.
4. Approval/disapproval of minutes of July 16, 2025 Board Meeting Doug Gorthy moved to approve the July 16, 2025 TWWA Board meeting as presented. Austin seconded the motion. Berg asked if there were any comments regarding the draft minutes and upon hearing none, called for the question to be voted on. Motion carried unanimously by a voice vote.
5. Approval/disapproval of minutes of August 6, 2025 Special Meeting which was held to approve and sign the CIF-6443 and CIF-6444 loan documents. Doug Gorthy made a motion to approve the August 6, 2025 special meeting minutes, seconded by Austin King. Berg asked if there was any discussion on the draft minutes and hearing none, called for a vote on the motion. Motion carried through a unanimous vote.
6. June 2025 Financial report Silver Bookkeeping LLC. No verbal report. The July 2025 financial report is attached to the draft minutes.
7. Approval/disapproval of motion moving into executive session in accordance with 2024 New Mexico Statutes Chapter 10 - Public Officers and Employees Article 15 - Open Meetings Section 10-15-1 H (6) and (7) Formation of public policy; procedures for open meetings; exceptions and procedures for executive session. Doug Gorthy moved to go into executive session, seconded by Austin King. Roll call vote was taken with Alan Berg, Doug Gorthy, Elizabeth Gonzales, and Austin King voting to go into executive session.
8.
 - a. Reconvene in open session after executive session. Berg reported that there was no action taken as the result of the executive session.
 - b. ~~Any action taken in executive session~~

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9. Old Business

- a. CIF-6443 and CIF-6444 Financial Schedule of Events-Berg reported that the State will finalize the contract documents on September 12, 2025. Our attorney Debbie Edwards recommended that we send a formal request to the Tyrone Community Association (TCA) to allow access through our jointly owned properties as part of the water system construction project. Kim Montoya, TCA President has received the letter and will sign it on Tuesday August 26, 2025 as she is currently out of town. Berg reported that another issue was raised by our attorney and she recommended that the TWWA hire Grant County Title to conduct a title/lien investigation on all 12 parcels. The period of time to be studied is 20 years.
- b. Bad debts and progress towards resolution-Austin King Austin King: This is something new, if you have questions please ask me. We have historically had good financial participation in the past but the participation has slipped and became an issue during the review of our financial condition as the State looked into our ability to pay back the loan portions of the CIF grants. Austin studied various water districts, to see if anything we were studying was common in this area. Our process is based on one assumption that we made a budget based on our assessments. We have very little fluff in there. We have an 80% loan on the water system. The 20% loan is a 20 year loan at an interest rate of 0.25% interest rate. Austin reviewed the next steps in collecting outstanding revenue. We are going to be sending out a demand letter in September 2025. In that letter, we are going to tell property owners that they need to become current immediately. In the demand letter, we will inform the property owners what the consequences are if they don't become current with their assessment. Hopefully we will be taking a lot of people off the list. In October we will be sending a second letter explaining the steps that will be taken. This presumes that the property owner has not contacted the TWWA or our agents to set up a payment plan. That will be a more serious event and they will have 10 days to resolve the issue. We know some will be unable to pay if there are verifiable circumstances. We will develop a payment plan. If we can't come to an agreement between the property owner and TWWA, we can file a lien on the house. A lien tremendously impacts your property. Lastly we have a right as a water authority we can foreclose on the property. We don't want to do that. We have developed a payment plan that is structured to pay off the debt in a twelve-month period

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or a 24 month period with an interest rate of 5%. This is a quick overview of the concept. Question from the audience on needing a lawyer to do this. A lawyer is needed if we file a foreclosure but not to file a lien. Doug Gorthy reiterated that this is serious because we just borrowed a lot of money to pay for the projects. Austin as a new resident one of the things that we have to remember is that all these projects will be kicking off in November this will bolster home values. We almost have an almost zero crime rate here.

10. New Business

- a. Approval/disapproval of Resolution 2026-09 CHANGE IN MONTHLY ASSESSMENT FOR OWNERS NOT USING AUTOMATED CLEARING HOUSE (ACH) or PAYING FOR THE YEARLY ASSESSMENT IN ONE PAYMENT Motion by Elizabeth Gonzales, seconded by Doug Gorthy. Discussion, this is a way to modernize our system. We are taking a lot of time processing their payments. If we continue to accept checks and money orders. Austin had a question if we had the ability to receive payments from the website and the answer by Berg was yes. How many people use this method, not many according to Eddie Mendoza. Doug Gorthy recapped the discussion by confirming that if you don't pay monthly by ACH or annually with a check, you will be assessed an additional \$5.00 for the transactions. Our previous accounting firm sent coupons to those members who requested them, and we are still receiving checks and coupons from some owners. The existing coupons will be exhausted in December 2025. Berg called for the question and the motion was approved unanimously. The letter notifying those who don't use ACH or pay annually, will go out late September.
- b. Approval/disapproval of title/lien search by Grant County Title for \$3,243.36. \$270.28 per parcel x 12 parcels. Doug Gorthy made a motion to discuss the title/lien search, Seconded by Elizabeth Gonzales. Berg stated that during the processing of the current loans CIF-6443 and CIF-6444, our attorney recommended that we go back 20 years to protect the TWWA from any potential litigation. Doug asked if we find anything, what do we do? Motion passed unanimously by voice vote.
- c. Approval/disapproval of Rules and Regulations with changes to collecting delinquent accounts. Berg introduced the topic of changing the Rules and Regulations. Berg entertained a motion to discuss the finalization of the Rules and Regulations, effective August 20, 2025. Austin made the motion

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and Doug Gorthy seconded the motion. Berg asked if there was any discussion on the motion. Hearing no request for further discussion, Berg called for the question. The motion passed unanimously through a voice vote.

11. Report and Approval of Officers and Committees

- a. President's Report-Berg stated that he sent a letter to the Board members outlining the process of acquiring additional administrative support from the SWNMCOG. The agreement will be between the SWNMCOG and Silver Bookkeeping. The 100% grant will be funded by SWNMCOG, TWWA will complete a task order with anticipated hours and a TWWA contact person. Silver Bookkeeping will provide a detailed invoice for TWWA approval or modification and approval. This approved invoice will be forwarded to SWNMCOG and Silver Bookkeeping will be paid directly by SWNMCOG. Because this topic was not on the August agenda, we can't formally approve the action until the September 2025 monthly Board meeting. At that time, we will have the actual administrative elements in place. There was total concurrence by the board members to proceed with this arrangement. The budget is \$20,000 at an hourly rate of \$25.00.
- b. Doug Gorthy-member-no additional comments
- c. Elizabeth Gonzales-member-Elizabeth updated the webpage to fix a link that will bring the requestor directly to the upcoming board meeting.
- d. Austin King-member-no additional comments
- e. Water Operator - Eddie Mendoza (stopped at 32:21) Eddie mentioned that the next round of lead and copper sampling will be completed. Berg asked about the availability of the lead and copper data. Eddie said that the data can be found on the New Mexico Drinking Water Watch. All the water data is on that site. Lift station issues were discussed. Pumps are running all operational systems are up and running SCADA and PLC RTU details were discussed. The existing system fails if it does not connect within 30 minutes. We may have to put internet out at the lift station. WNM TWN, or satellite may be used. We are getting pricing through multiple vendors. A question was asked if the system is always operational. Eddie stated that we are in the process of repairing the altitude valve in the vault at the water tower. A component in the pilot break and we can still cycle the valve to fill the tank manually. Eddie stated that the tank is cycling but not automatically. We are diligently working a solution. Two residents have pressure gauges their homes to assist us in monitoring the pressure.

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- f. Public Input (limited to 3 minutes/person)-no comments
- 12. Adjournment- Berg entertained a motion to adjourn. Motion to adjourn by Austin King with a second by Doug Gorthy. Motion to adjourn passed unanimously by a voice vote.

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RESOLUTION 2026-09 CHANGE IN MONTHLY ASSESSMENT FOR OWNERS NOT USING AUTOMATED CLEARING HOUSE (ACH)

Whereas: The Tyrone Water & Wastewater Association (TWWA) is responsible for the operation, care, and maintenance of the water and wastewater systems in the Tyrone townsite, and

Whereas: The management of the water and wastewater systems is primarily funded through monthly assessments from property owners, and

Whereas: Currently accepted methods of payments to TWWA include money orders, bank withdrawals, over the counter checks, and automated clearing house (ACH) deposits directly into the TWWA's Western Bank account, and

Whereas: The administrative costs to process the money orders, checks, are disproportionately high due to the multiple steps in receiving, recording, processing receipts, and depositing checks numerous times a month, and

Therefore be it resolved: that property owners paying through ACH will be assessed \$75.00 for their monthly assessment and those property owners paying by other methods of payment will be assessed \$80.00 per month due to the associated costs for managing these payments. Those property owners who pay annually (all 12 months at once) will remain at the \$75.00 assessment rate.

RESOLVED: in the Governing Board Session on this 20th Day of August 2025.

Attest:

Tyrone Water and Wastewater Association

(seal)

Alan Berg President

Doug Gorthy Member

Elizabeth Gonzales Member

Austin King Member